

Message Text

LIMITED OFFICIAL USE

PAGE 01 GENEVA 03779 01 OF 02 230937Z

11

ACTION ACDA-10

INFO OCT-01 ARA-06 EUR-12 EA-06 IO-10 ISO-00 CIAE-00

DODE-00 NSAE-00 NSCE-00 SSO-00 USIE-00 INRE-00 H-02

INR-07 L-02 OIC-02 OMB-01 PA-01 PM-03 PRS-01 SAJ-01

SAM-01 SP-02 SS-15 TRSE-00 NSC-05 BIB-01 AF-06 NEA-10

OES-03 FEA-01 NRC-05 /114 W
----- 033174

O 230832Z MAY 75

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 3134

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY THE HAGUE

AMEMBASSY LONDON

AMEMBASSY MEXICO

AMEMBASSY MANILA

AMEMBASSY MOSCOW

AMEMBASSY OTTAWA

AMEMBASSY ROME

AMEMBASSY TOKYO

USMISSION USUN NEW YORK

USMISSION NATO BRUSSELS

USMISSION IAEA VIENNA

ERDA GERMANTOWN IMMEDIATE

LIMITED OFFICIAL USE SECTION 1 OF 2 GENEVA 3779

EO 11652: N/A

TAGS: PARM

SUBJ: NPT REVCON: DRAFT WORKING PAPER ON ARTICLE IV

REF: GENEVA 3643, 3588, 3575

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 GENEVA 03779 01 OF 02 230937Z

1. SMALL WORKING GROUP ON COMMITTEE II, CHAIRED BY CANADA, CONSIDERED THREE ARTICLE IV WORKING PAPERS ON MAY 21 PREPARED RESPECTIVELY BY ROMANIA, CANADA/GDR, AND MEXICO/NIGERIA/PHILLIPPINES, AND, FOLLOWING PROLONGED NEGOTIATION, PRODUCED A SINGLE DRAFT WORKING PAPER. THIS PAPER WAS CONSIDERED BY LARGE WORKING GROUP ON MAY 22, COMPOSED OF MEMBERS OF MOST CONFERENCE DELEGATIONS (NOTABLY, MEXICO AND NIGERIA DID NOT PARTICIPATE). AFTER SIX HOURS OF DIFFICULT NEGOTIATIONS, REVISED DRAFT TEXT EMERGED WHICH, SUBJECT TO ANY FURTHER COMMENTS IN COMMITTEE II ON MAY 23, IS EXPECTED TO BE SUBMITTED BY COMMITTEE TO PLENARY ON MONDAY, MAY 26. DRAFT TEXT, EXPEDITED TO BE CO-SPONSORED BY AT LEAST CANADA AND GDR, IS AS FOLLOWS:

"1. THE CONFERENCE REAFFIRMS THAT NOTHING IN THE TREATY SHALL BE INTERPRETED AS AFFECTING, AND NOTES WITH SATISFACTION THAT NOTHING IN THE TREATY HAS AFFECTED, THE INALIENABLE RIGHT OF ALL THE PARTIES TO THE TREATY TO DEVELOP RESEARCH, PRODUCTION AND USE OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES WITHOUT DISCRIMINATION AND IN CONFIRMITY WITH ARTICLES I AND II OF THE TREATY.

"2. THE CONFERENCE REAFFIRMS THE UNDERTAKING BY ALL PARTIES TO THE TREATY TO FACILITATE THE FULLEST POSSIBLE EXCHANGE OF EQUIPMENT, MATERIALS AND SCIENTIFIC AND TECHNOLOGICAL INFORMATION FOR THE PEACEFUL USES OF NUCLEAR ENERGY AND THE RIGHT OF ALL PARTIES TO THE TREATY TO PARTICIPATE IN SUCH EXCHANGE. NOTING THAT THE NON-PROLIFERATION TREATY CONSTITUTES A FAVOURABLE FRAMEWORK FOR BROADENING INTERNATIONAL COOPERATION IN THE PEACEFUL USES OF NUCLEAR ENERGY, THE CONFERENCE IS CONVINCED THAT ON THIS BASIS, AND IN CONFORMITY WITH THE TREATY, FURTHER EFFORTS SHOULD BE MADE TO IMPROVE THE AVAILABILITY OF BENEFITS FROM PEACEFUL USES OF NUCLEAR ENERGY.

"3. THE CONFERENCE RECOGNIZES THAT THERE CONTINUES TO BE A NEED FOR THE WIDEST POSSIBLE ACCESS TO NUCLEAR MATERIALS, EQUIPMENT AND TECHNOLOGY, INCLUDING UP-TO-DATE DEVELOPMENTS, ON THE ASSURANCE, PROVIDED BY INTERNATIONAL ATOMIC ENERGY AGENCY SAFEGUARDS, THAT THIS DOES NOT IN ANY WAY CONTRIBUTE TO THE PROLIFERATION OF NUCLEAR WEAPONS OR OTHER NUCLEAR LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 GENEVA 03779 01 OF 02 230937Z

EXPLOSIVE DEVICES. THE CONFERENCE REAFFIRMS THE UNDERTAKING OF THE PARTIES TO THE TREATY IN A POSITION TO DO SO TO COOPERATE IN CONTRIBUTING, ALONE OR TOGETHER WITH OTHER STATES OR INTERNATIONAL ORGANIZATIONS, TO THE FURTHER DEVELOPMENT OF THE APPLICATIONS OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES, ESPECIALLY IN THE TERRITORIES OF NON-WAR PARTIES TO THE TREATY, WITH DUE CONSIDERATION FOR THE NEEDS OF THE DEVELOPING AREAS OF THE WORLD. THE CONFERENCE PARTICULARLY RECOGNIZES THE

GROWING NEEDS OF DEVELOPING COUNTRIES AND CONSIDERS IT NECESSARY TO CONTINUE AND INCREASE ASSISTANCE TO THEM IN THIS FIELD BILATERALLY AND THROUGH SUCH MULTILATERAL CHANNELS AS THE INTERNATIONAL ATOMIC ENERGY AGENCY AND THE UNITED NATIONS DEVELOPMENT PROGRAMME.

"4. THE CONFERENCE IS OF THE VIEW THAT IN ORDER TO IMPLEMENT AS FULLY AS POSSIBLE ARTICLE IV OF THE TREATY, DEVELOPED COUNTRIES TO THE TREATY SHOULD CONSIDER TAKING MEASURES, MAKING CONTRIBUTIONS, AND ESTABLISHING PROGRAMMES, AS SOON AS POSSIBLE, FOR THE PROVISION OF SPECIAL ASSISTANCE IN THE PEACEFUL USES OF NUCLEAR ENERGY FOR DEVELOPING COUNTRIES PARTY TO THE TREATY.

"5. THE CONFERENCE RECOMMENDS THAT, IN REACHING DECISIONS ON THE PROVISION OF EQUIPMENT, MATERIALS, SCIENTIFIC INFORMATION AND TECHNOLOGY FOR PEACEFUL USES OF NUCLEAR ENERGY, ON CONCESSIONAL FINANCIAL ARRANGEMENTS AND ON THE FURNISHING OF TECHNICAL ASSISTANCE IN THE NUCLEAR FIELD, DEVELOPED COUNTRIES PARTY TO THE TREATY SHOULD GIVE PARTICULAR WEIGHT TO ADHERENCE TO THE TREATY BY RECIPIENT STATES. THE CONFERENCE RECOMMENDS, IN THIS CONNECTION, THAT ANY SPECIAL MEASURES OF COOPERATION TO MEET THE GROWING NEEDS OF THE DEVELOPING COUNTRIES PARTY TO THE TREATY MIGHT INCLUDE INCREASED AND SUPPLEMENTAL VOLUNTARY AID PROVIDED BILATERALLY OR THROUGH MULTILATERAL CHANNELS SUCH AS THE IAEA'S FACILITIES FOR ADMINISTERING FUNDS-IN-TRUST AND GIFTS-IN-KIND.

"6. THE CONFERENCE FURTHER RECOMMENDS THAT COUNTRIES PARTY TO THE TREATY, IN A POSITION TO DO SO MEET, TO THE FULLEST EXTENT POSSIBLE, TECHNICALLY SOUND REQUESTS FOR TECHNICAL ASSISTANCE SUBMITTED TO THE IAEA BY DEVELOPING COUNTRIES PARTY TO THE TREATY, WHICH THE IAEA IS UNABLE TO FINANCE FROM ITS OWN RESOURCES, AS WELL AS SUCH TECHNICALLY SOUND REQUESTS AS MAYBE MADE BY DEVELOPING COUNTRIES PARTY TO THE TREATY WHICH ARE NOT MEMBERS OF THE IAEA."

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 04 GENEVA 03779 01 OF 02 230937Z

2. COMMENT DRAFT TEXT REPRESENTS SIGNIFICANT REDUCTION

LIMITED OFFICIAL USE

NNN

LIMITED OFFICIAL USE

PAGE 01 GENEVA 03779 02 OF 02 230952Z

ACTION ACDA-10

INFO OCT-01 ISO-00 IO-10 CIAE-00 DODE-00 NSAE-00 NSCE-00

SSO-00 USIE-00 INRE-00 EUR-12 H-02 INR-07 L-02 OIC-02

OMB-01 PA-01 PM-03 PRS-01 SAJ-01 SAM-01 SP-02 SS-15

TRSE-00 NSC-05 BIB-01 AF-06 ARA-06 EA-06 NEA-10 OES-03

FEA-01 NRC-05 /114 W

----- 033408

O 230832Z MAY 75

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 3135

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY THE HAUGE

AMEMBASSY LONDON

AMEMBASSY MEXICO

AMEMBASSY MANILA

AMEMBASSY MOSCOW

AMEMBASSY OTTAWA

AMEMBASSY ROME

AMEMBASSY TOKYO

USMISSION USUN NEW YORK

USMISSION NATO BRUSSELS

USMISSION IAEA VIENNA

ERDA GERMANTOWN IMMEDIATE

LIMITED OFFICIAL USE SECTION 2 OF 2 GENEVA 3779

2. COMMENT: DRAFT TEXT REPRESENTS SIGNIFICANT REDUCTION
IN PROPOSALS CONTAINED IN BOTH MEXICO/NIGERIA/PHILLIPPINES
AND ROMANIAN DRAFTS. THESE WERE COUCHED LARTELY IN TERMS
"REQUIRING" DEVELOPED STATES PARTY TO THE NPT TO PROVIDE
FINANCIAL ASSISTANCE TO DEVELOPING STATES PARTIES,
INCLUDING, INITIALLY, A SPECIAL FUND AND SPEICAL NUCLEAR
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 GENEVA 03779 02 OF 02 230952Z

FUND EACH WITH SUFFICIENT FUNDING (60 PERCENT BY
DEPOSITARY PARTIES AND 40 PERCENT BY DEVELOPED NNWS PARTY
TO THE TREATY). SPECIAL FUND RELATED TO FINANCING
NUCLEAR RESEARCH FACILITIES, INCLUDING RESEARCH REACTORS
AND FUEL FOR THEIR CONTINUING OPERATION, AND SPECIAL NUCLEAR
FUND WAS TO PROVIDE FUNDS FOR CONCESSIONAL FINANCING OF
NUCLEAR PROJECTS. SPEICAL NUCLEAR FUND WAS INITIALLY TO
INCLUDE A MINIMUM ANNUAL LEVEL OF \$2BILLION REPEAT

\$2 BILLION. THIS WAS SUBSEQUENTLY AMENDED BY PHILIPPINES TO PROVIDE ONLY FOR A "REASONABLE MINIMUM ANNUAL LEVEL" OF FUNDS. THESE CONCEPTS AND RELATED FUNDING, AS WELL AS OTHER "REQUIREMENTS", SUCH AS "PREFERENTIAL TREATMENT" TO BE ACCORDED DEVELOPING NNWS IN SUPPLY OF MATERIALS, EQUIPMENT AND INFORMATION, WERE NOT INCLUDED IN ULTIMATE DRAFT TEXT TRANSMITTED HERewith. IN FACT, IT SHOULD BE NOTED THAT DRAFT IS CAREFULLY COINED IN QUALIFYING TERMS AND IDENTIFIES RELATIVELY MODES WAYS IN WHICH DEVELOPING NNWS MIGHT BE ASSISTED. THIS IS CONSIDERED IMPROBANT ACHIEVEMENT IN VIEW OF INITIAL EXTREME DRAFTS BY DEVELOPING COUNTRIES, WHO PRESSED VIGOROUSLY FOR MORE DEFINITE COMMITMENTS FROM DEVELOPED PARTIES. IN AN "ASIDE", PHILIPPINE REP (SIAZON) ALLUDED TO LINKAGE OF SATISFACTORY ARTICLE IV DRAFT TO HIS POSITION ON ARTICLE VI.

2. WITH RESPECT TO PHRASE "CONCESSIONAL FINANCIAL ARRANGEMENTS" IN PARA 5 OF DRAFT WORKING PAPER, US REP POINTED OUT USG DOES NOT PROVIDE CONCESSIONAL FINANCING, AND SUGGESTED THE PHRASE BE RECAST TO READ "APPROPRIATE FINANCIAL ARRANGEMENTS" OR SIMPLY "FINANCIAL ARRANGEMENTS". CANADA POINTED OUT IT ALSO DOES NOT HAVE CONCESSIONAL FINANCING AS PART OF ITS BILATERAL AID PROGRAM. WE DID NOT INSIST ON DELETION OF REFERENCE TO "CONCESSIONAL FINANCING", HOWEVER, SINCE NO COMMITMENT INVOLVED IN VIEW OF QUALIFYING LANGUAGE EMPLOYED AT BEGINNING OF THE PARAGRAPH, I.E., "IN REACHING DECISIONS ON THE PROVISION OF". MOREOVER, THIS HELPED US OBTAIN, AS TRADE-OFF RETENTION OF PHRASE "SHOULD GIVE PARTICULAR WEIGHT TO ADHERENCE TO THE TREATY BY RECIPIENT STATES" IN SAME SENTENCE IN LIEU OF PHRASE "SHOULD GIVE PREFERENTIAL TREATMENT TO DEVELOPING PARTY TO THE TREATY", DESIRED BY SEVERAL DEVELOPING COUNTRIES. US DEL RECOMMENDS LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 GENEVA 03779 02 OF 02 230952Z

THAT WE NOT OBJECT TO RETENTION OF THE PHRASE, BUT MAKE IT A MATTER OF RECORD IN THE CONFERENCE'S PROCEEDING THAT USG DOES NOT PROVIDE CONCESSIONAL FINANCING FOR NUCLEAR PROJECTS.

3. US DEL PLANS MAKE STATEMENT BOTH IN COMMITTEE II AND PLENARY THAT WE CONSIDER DRAFT TEXT (AS WE DO ALL OTHER PROPOSED DRAFT PARTS OF DRAFT DECLARATION) TO BE AD REFERENDUM AND FOR CONSIDERATION IN CONTEXT OF DRAFT DECLARATION AS A WHOLE.

4. US DEL RECOMMENDS APPROVAL OF DRAFT TEXT.
DALE

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: NPT, NUCLEAR AGREEMENTS, AGREEMENT DRAFT, MEETINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 23 MAY 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: CunninFX
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975GENEVA03779
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750181-0595
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750524/aaaaavhx.tel
Line Count: 275
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION ACDA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 GENEVA 3643, 75 3588, 75 3575
Review Action: RELEASED, APPROVED
Review Authority: CunninFX
Review Comment: n/a
Review Content Flags:
Review Date: 01 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <01 APR 2003 by ElyME>; APPROVED <16 SEP 2003 by CunninFX>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: NPT REVCON: DRAFT WORKING PAPER ON ARTICLE IV
TAGS: PARM
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006